

HERMES SARGENT BATES

LLP

*Minds over matters.*

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May 9, 2008

***Via Hand Delivery***

The Honorable Lewis A. Kaplan  
United State District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *GMA Accessories v. ePartners*, 1:07-cv-08414-LAK  
Our File No. 356/41

Dear Judge Kaplan:

Please accept this correspondence as a response to Ronald Paltrowitz's May 7, 2008 correspondence to the Court regarding a discovery dispute between the parties. Please note that while this is a designated ECF case, which requires discovery disputes be presented to the Court via motion (with a confirming letter), Mr. Paltrowitz has written you in accordance with your non-ECF case rule on discovery disputes. Our response, via letter, is therefore in line with the non-ECF case rule so as not to create undue confusion.

After receiving Mr. Paltrowitz's letter, we believe we now have a better understanding of the purpose and scope of the personnel information Plaintiff seeks from Defendant. Defendant offers to agree to produce the available employment applications and resumes of the development/consulting staff on the subject project, which should reflect these employees' certifications and training. To the extent any documents exist for these employees reflecting discipline due to performance, we will produce that information as well. While at this time we do not envision a scenario in which this would arise, this offer of compromise is subject to any attorney-client, work product or other privileges that may apply.

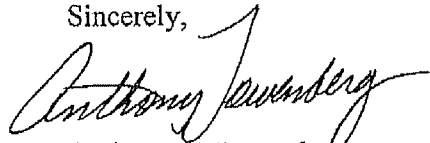
The undersigned reached out to Mr. Paltrowitz today regarding this proposed compromise, but have not heard back from him, and because of the Court's rules on discovery disputes, we submit this letter in response.

If this compromise is agreeable to the Court and Mr. Paltrowitz, we request that production of responsive documents be required no earlier than May 23, 2008.

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We thank the Court for its courtesies in these matters and express our regret that we need to trouble the Court with these issues.

Sincerely,



Anthony H. Lowenberg

AHL/ljs

cc: John Bostany | Ronald I. Paltrowitz (via email and First Class Mail)  
Peter Brown | Melissa Carvalho (via email)